

REMARKS

Upon entry of the present amendment, Claims 50 to 58, inclusive will be before the Examiner.

In accordance with the response to the outstanding Restriction Requirement, Applicant has canceled all claims initially presented at the time of filing and replaced these claims with Claims 50 to 58, inclusive. All newly-presented claims are limited to the invention that the Examiner had set forth as Group 23-44 in the Restriction Requirement, and care has been taken to assure that no new matter has been added to the claims now before the Examiner.

Applicants reserve their right to pursue the claimed subject matter presented in this patent application as originally filed in subsequently-filed applications for Letters Patent.

Applicants wish to point out to the Examiner that SEQ ID NOs 1 and 3 encode SEQ ID NOs: 2 and 4, both of which are variants of Human Cub and Sushi domain containing protein. Since both sequences defined by these identification numbers belong to the same gene family the search requirement will necessarily encompass all the variants of the gene. Thus, Applicants do not believe it proper to elect "one amino acid sequence" as required in the paper of July 28, 2004. However, solely to advance the prosecution of this instant case, Applicants have limited their claims to the Seq. ID No. 2 sequence with the intention that additional claims directed to the sequence of ID No. 2 will be added if the Examiner reconsiders the initial requirement and withdraws the requirement.

Although Applicants believe that no additional fees are due for this amendment, should it be determined that there are such fees due, the Commissioner is hereby authorized to charge any such fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-2648 (citing Reference Cura-518).

CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(B)

The prosecution of the above-identified nonprovisional patent application has resulted in the cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention defined in the claims before the Examiner. Accordingly, Applicants request that the inventorship of the claimed invention be corrected under 37 CFR 1.48(b) by deleting the following named individuals whose inventions are no longer being claimed:

Alsobrook II, John ;	Anderson, David W.;	Boldog, Ferenc L.;
Burgess, Catherine E.;	Casman, Stacie J.;	Colman, Steven D.;
Edinger, Shlomit Rebecca;		Ellerman, Karen E.;
Gorman, Linda;	Grosse, William M.;	Guo, Xiaojia Sasha;
Kekuda, Ramesh;	Lepley, Denise M.;	Li, Li ;
Millet, Isabelle ;	Pena, Carol E.A.;	Peyman, John A.;
Rieger, Daniel K.;	Smithson, Glenna;	Spytek, Kimberly A.;
Tchernev, Velizar T.;	Vernet, Corine ;	Voss, Edward Z.;
Zerhusen, Bryan D.;	and Zhong, Mei.	

Thus, upon entry of this amendment, the correct list of inventors for the claimed subject matter will be:

Rastelli, Luca,	Herrmann, John,	MacDougall, John R.,
Zhong, Haihong,	Stone, David J.,	Shimkets, Richard A., and
Gerlach, Valerie L.		

Applicants authorize the Commissioner of Patents to debit their Deposit Account No. 502648 (citing Reference Cura-518) for the appropriate fee set forth in 37 CFR 1.17(h) for the correction of inventorship.

CONCLUSION

In view of the amendments, comments, and correction of the named inventors as presented herein, Applicants believe that all claims before the Examiner are in condition for allowance. Accordingly, Applicants request an early review on the merits of the pending claims, a finding of allowability and the issuance of an appropriate Notice of Allowability by the Examiner, and the passing of this application to issue.

Should the Examiner have any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

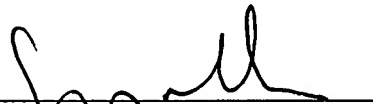
Respectfully submitted,

Date:

August 20th 2004

Intellectual Property
Curagen Corporation
555 Long Wharf Drive, 9th floor
New Haven, Connecticut 06511

Telephone: (203) 974-6303
e-mail: gyahwak@curagen.com



George M. Yahwak (Reg. No. 26,824)
Attorney for Applicants